

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

GREGORY MITCHELL SWACUS,	)	
	)	Civil Action No. 3:24-cv-4737-JDA
	)	
Plaintiff,	)	<b><u>COMPLAINT</u></b>
	)	(Tort-Automobile Accident)_
-vs-	)	(Jury Trial Requested)
	)	
UFANISI LOGISTICS, LLC,	)	
	)	
Defendant.	)	
_____	)	

TO: THE ABOVE-NAMED DEFENDANT AND DEFENDANT’S ATTORNEY(S):

The Plaintiff above named complaining of the Defendant herein says as follows:

1. That Plaintiff Gregory Mitchell Swacus (hereinafter “Plaintiff”) is a resident and citizen of Lexington County in the State of South Carolina.
2. That Defendant Ufanisi Logistics, LLC, is a limited liability corporation established in the State of Ohio operating large trucks on the roadways of multiple states, including South Carolina.
3. That substantial acts and omissions alleged herein occurred in Lexington County in the State of South Carolina.
4. That the amount in controversy in the tort claims made herein exceeds \$75,000.00.
5. That the parties herein have diverse citizenship and an amount in controversy exceeding \$75,000 giving this Court personal and subject matter jurisdiction over the parties and the matter in dispute.

6. That on or about November 18, 2022, Plaintiff was driving a 2008 Toyota Corolla on I-26 West in Lexington County between the intersections of Highway 378 and the Richland County line in the left-most lane completely stopped in traffic and at rest for several seconds.

7. That on or about the same time and at the same place, Defendant was operating an 18-wheel tractor-trailer westbound on I-26 in the left-most lane behind Plaintiff when its tractor-trailer struck the Plaintiff with great force causing serious bodily injuries.

8. That Defendant and its agent driver were negligent, negligent per se, grossly negligent, and reckless in failing to exercise due care; in failing to properly maintain its tractor-trailer; in failing to exercise due care in the hiring, training, supervision and retention of its agent driver; in failure to keep a proper lookout; driving while distracted; driving while fatigued; driving over the number of hours permitted by regulations; in violating state and federal regulations; and striking Plaintiff.

9. That the above acts and omissions of the Defendant and its agent driver proximately caused damages to the Plaintiff for which he seeks compensation to be made whole.

10. That Defendant is responsible for the acts and omissions of its agent driver pursuant to *respondeat superior*.

11. Plaintiff prays for actual and general compensatory damages for the described negligence of Defendant and also punitive damages for Defendant's gross negligence, negligence per se, and recklessness.

WHEREFORE, Plaintiff prays for judgment against Defendant on claims of negligence, gross negligence, carelessness, recklessness, negligence *per se*, and willfulness in such sum of

actual, general and punitive damages that a trier of fact may determine together with such other relief this Court may deem just and proper.

GEORGE SINK, P.A. INJURY LAWYERS

s/Robert E. Treacy, Jr.

Robert E. Treacy, Jr.

SC Bar#12102 and US District Court Bar #07458

Attorney for the Plaintiff

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August 29, 2024